

REMARKS/ARGUMENTS

The rejections presented in the Office action dated February 16, 2005 have been considered. Claims 1, 4, 7-26, 29, 34-41, 43-44 and 46-49 remain pending in the application. Claims 2-3, 5-6, 27-28, 30-33, 42, and 45 have been cancelled. Claims 1, 4, 7-17, 26, 29, 34-38, 40-41, 43-44, and 46-49 have been amended. Reconsideration of the pending claims and allowance of the application in view of the present response is respectfully requested.

Claims 29, 34-38, and 40 were objected to because, according to the Office Action, the term “configured to” is not a positive limitation. Applicants traverse the objection. However, in order to facilitate prosecution of the application, Applicants have amended Claims 29, 34-38, and 40 to replace, for example, “configured to” with “that causes the processing system to.” Based on these amendments, Applicants respectfully request withdrawal of the objection.

Claims 1, 4, 18, 21-29, 39-41, and 46 stand rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Publication No. 2005/0025047 A1 published for Bodin et al. (hereinafter *Bodin*). Applicants respectfully traverse the rejection. To anticipate a claim the reference must teach every element of the claim, and it is respectfully submitted that *Bodin* does not meet this standard.

“A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” MPEP 2131, quoting *Verdegaal Bros. v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). “The identical invention must be shown in as complete detail as is contained in the patent claim; *i.e.* every element of the claimed invention must be literally present, arranged as in the claim.” MPEP 2131, quoting *Richardson v. Suzuki Motor Co.*, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). The Applicant submits that *Bodin* does not teach every element of amended independent Claims 1, 26, 29, 40, and 41, and therefore fails to anticipate these claims.

Independent Claims 1, 26, 29, 40, and 41, as amended, are directed to providing services via a packet-switched (PS) multimedia network to users communicating in a

circuit-switched (CS) domain. A Session Initiation Protocol (SIP) dialog is established between terminals via an Internet Protocol Multimedia Subsystem (IMS) of the PS multimedia network. CS bearer information is communicated between the terminals via the dialog by a Session Description Protocol (SDP) message having an SDP extension indicating the CS bearer information. The CS bearer information includes at least an indication that a communication flow is requested via a CS network and a caller line identifier associated with terminals sending the SDP messages (*see, e.g.*, p. 23, lines 14-19 of the instant Specification). Among other things, *Bodin* does not teach or otherwise disclose requesting communications flows using an SDP extension with bearer information that includes a caller line identifier.

Bodin generally describes a system for establishing multimedia services to mobile terminals using a packet switched (PS) signaling connection and a circuit switched (CS) bearer for multimedia data. However, *Bodin* is silent on the using caller line identifiers as part of the CS setup. In *Bodin*, an intermediary network element, the multimedia gateway (MGW), establishes the connection between terminals. For example, in [0032], *Bodin* states “[i]n step 410, the MGW 318 sets up first and second circuit legs to the MS 306 and the other party 308, respectively. It is noted that the second circuit leg may be either packet switched or circuit switched.”

In contrast, the Applicants invention allows end-user terminals, not an intermediary network element, to establish CS connections based on the bearer information contained within the SDP extensions. This information, which includes a caller line identifier associated with the terminal sending the SDP message, can be used by the receiving terminal(s) to identify the sending terminal in order to effect CS communications. *Bodin* is silent on using bearer information such as caller line identifiers that can be used by the terminals to establish CS communications. In *Bodin*, an intermediary (the MGW) sets up the CS communications, thus, *Bodin* does not expressly or inherently disclose the ability initiate a call setup from a terminal based on a caller line identifier received via a PS multimedia network (*e.g.*, as more fully described in p. 24, lines 7-11 of the instant Specification). Similarly, with respect to independent Claims 1, 26, 40, and 41, *Bodin* fails to describe a terminal receiving and parsing the SDP message to determine the caller

identifier included in the bearer information. The only use *Bodin* describes for the SDP headers is to identify the codec used by the CS bearer ([0031]), and *Bodin* is silent on caller identifiers. This is because, in *Bodin*, the MGW establishes the connections, and thus the terminals in *Bodin* would have no need to determine a caller line identity.

Because *Bodin* fails to at least disclose requesting CS communications with bearer information that includes a caller line identifier in an SDP extension, *Bodin* does not teach each and every feature of independent Claims 1, 26, 29, 40, and 41. Therefore, Applicants respectfully submit that *Bodin* does not anticipate Claims 1, 26, 29, 40, and 41, and these claims are in condition for allowance.

Dependent Claims 4, 18, and 21-25 depend from independent Claim 1; dependent Claim 39 depends from independent Claim 29; and dependent Claim 46 depends from independent Claim 41. These dependent claims also stand rejected under 35 U.S.C. §102(e) as being anticipated by *Bodin*. While Applicant does not acquiesce with the particular rejections to these dependent claims, these rejections are now moot in view of the remarks made in connection with independent Claims 1, 29, and 41 as amended. These dependent claims include all of the limitations of the base claim and any intervening claims, and recite additional features that further distinguish these claims from *Bodin*. Therefore, Applicants also submit that dependent Claims 4, 18, 21-25, 39, and 46 are also in condition for allowance.

Claims 7-15, 34-36, and 47-49 stand rejected under 35 U.S.C. §103(a) as being unpatentable over *Bodin* in view of the article entitled “SDP: Session Description Protocol” by Handley et al. (hereinafter *Handley*). According to MPEP §2142, to establish a prima facie case of obviousness under 35 U.S.C. §103:

- 1) there must be some suggestion or motivation either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings;
- 2) there must be a reasonable expectation of success; and
- 3) the prior art reference (or references when combined) must teach or suggest all the claim limitations.

The Applicant respectfully submits that the combination of *Bodin* in view of *Handley* does not teach or suggest all of the limitations of Claims 7-15, 34-36, and 47-49. As described hereinabove in regards to amended independent Claims 1, 26, 29, 40, and 41, *Bodin* fails to teach or otherwise suggest requesting CS communication flows using an SDP extension with CS bearer information that includes a caller line identifier. *Handley* fails to remedy the deficiencies of *Bodin*.

Handley merely describes semantics to be followed when planning and implementing services and applications using SDP. *Handley* presents examples of how certain fields might be used in order to illustrate a set of rules for using SDP. However, *Handley* does not teach or otherwise suggest including CS bearer information that includes a caller line identifier in order to effectuate CS communications via a PS multimedia network. Therefore, the combination of *Bodin* and *Handley* fail to teach or suggest this limitation of independent Claims 1, 26, 29, 40, and 41. Because rejected Claims 7-15, 34-36, and 47-49 depend respectively from Claims 1, 29, and 41, the combination of *Bodin* and *Handley* also fail to teach or suggest every limitation of Claims 7-15, 34-36, and 47-49. These dependent claims include all of the limitations of the base claim and any intervening claims, and recite additional features that further distinguish these claims from the combination of *Bodin* and *Handley*. Applicants respectfully submit that *Bodin* and *Handley* do not render Claims 7-15, 34-36, and 47-49 obvious, and therefore these claims are in condition for allowance.

Claims 16-17, 19-20, 37-38, and 43-44 stand rejected under 35 U.S.C. §103(a) as being unpatentable over *Bodin* in view of U.S. Publication No. 2004/0120505 A1 published for Kotzin et al. (hereinafter *Kotzin*). Applicants respectfully traverse the rejection. It is first noted that rejected Claims 16-17, 19-20, 37-38, and 43-44 depend respectively from independent Claims 1, 29, and 41. As described hereinabove in regards to Claims 1, 26, 29, 40, and 41, *Bodin* fails to teach or otherwise suggest requesting CS communication flows using an SDP extension with CS bearer information that includes a caller line identifier. *Kotzin* fails to remedy the deficiencies of *Bodin*.

Kotzin describes using SIP content headers for describing voice alerts that are carried over PS connections as packet data (*see, e.g.*, [0033] “encoding the alert signal,

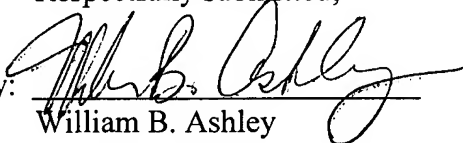
preferably as packet data”). *Kotzin* does not describe using SIP headers or any other mechanisms for describing CS bearers. *Kotzin* is entirely silent on proving CS bearer information over PS multimedia networks. For example, in FIG. 5, reference 509 of *Kotzin*, the use of an IP address in the SDP connection field illustrates only the commonplace usage of the SDP connection field, to provide PS bearer information. Therefore, the combination of *Bodin* with *Kotzin* fails to teach or suggest requesting CS communication flows using an SDP extension with CS bearer information that includes a caller line identifier, as required by independent Claims 1, 26, 29, and 41. Because rejected Claims 16-17, 19-20, 37-38, and 43-44 depend respectively from Claims 1, 29, and 41, the combination of *Bodin* and *Kotzin* also fail to render Claims 16-17, 19-20, 37-38, and 43-44 obvious. These dependent claims include all of the limitations of the base claim and any intervening claims, and recite additional features that further distinguish these claims from the combination of *Bodin* and *Kotzin*. Applicants respectfully submit that *Bodin* and *Kotzin* do not render Claims 16-17, 19-20, 37-38, and 43-44 obvious, and therefore these claims are in condition for allowance.

If the Examiner believes it necessary or helpful, the undersigned agent of record invites the Examiner to contact him at 952-854-2700 to discuss any issues related to this case.

Respectfully submitted,

Date:

By:



William B. Ashley

Reg. No. 51,419

Hollingsworth & Funk, LLC

8009 34th St. S. Suite 125

Minneapolis, Minnesota 55425

(952) 854-2700